FILED
HARRISBURG, PA

SEP 19 2018

PER [handwritten initials]
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA : NO. 1:18-CR- 315

v. : (JUDGE Jones)

JORGE LUIS ROSA-HERNANDEZ, :
Defendant. : Filed under seal

I N D I C T M E N T

THE GRAND JURY CHARGES:

COUNT 1
(Possession of a firearm by a previously convicted felon)

On or about April 29, 2018, in York County, within the Middle District of Pennsylvania, the defendant,

JORGE LUIS ROSA-HERNANDEZ,

having been convicted of a crime punishable by imprisonment for a term exceeding one year did knowingly possess in and affecting interstate commerce, a firearm, that is, a Smith & Wesson, model M&P Shield, .45 caliber pistol (serial number HZD8969).

All in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

THE GRAND JURY FURTHER CHARGES:

FORFEITURE ALLEGATION

1. The allegations contained in Count 1 of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section 2461(c).

2. Upon conviction of the offense in violation of Title 18, United States Code, Section 922(g) set forth in Count 1 of this Indictment, the defendant, JORGE LUIS ROSA-HERNANDEZ, shall forfeit to the United States pursuant to Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section 2461(c), any firearms and ammunition involved in the commission of the offense, including, but not limited to: a Smith & Wesson, model M&P Shield, .45 caliber pistol (serial number HZD8969).

3. If any of the property described above, as a result of any act or omission of the defendant:

a. cannot be located upon the exercise of due diligence;

b. has been transferred or sold to, or deposited with, a third party;

c. has been placed beyond the jurisdiction of the court;

d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

All pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c).

A TRUE BILL

[redacted]

Foreperson, Grand Jury

9/19/2018

DATE

DAVID J. FREED
UNITED STATES ATTORNEY

CARLO D. MARCHIOLI
ASSISTANT U.S. ATTORNEY